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|--|---------------|----------------------|---------------------|------------------|
| APPLICATION NO.  | FILING DATE   | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/567,718   | 02/08/2006    | Eric Richard May     | PU030253            | 4036             |
| 24498  | 7590          | 06/30/2008           | EXAMINER            |                  |
| Joseph J. Laks<br>Thomson Licensing LLC<br>2 Independence Way, Patent Operations<br>PO Box 5312<br>PRINCETON, NJ 08543 |               |                      | WUJCIAK, ALFRED J   |                  |
| ART UNIT   | PAPER NUMBER  |                      | 3632                |                  |
| MAIL DATE  | DELIVERY MODE |                      |                     |                  |
| 06/30/2008   | PAPER         |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |  |                                   |
|------------------------------|--|-----------------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/567,718         | <b>Applicant(s)</b><br>MAY ET AL. |
|                              | <b>Examiner</b><br>Alfred Joseph Wujciak III | <b>Art Unit</b><br>3632           |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 February 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 February 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-166/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

This is the final Office Action for the serial number 10/567,718, VISUAL DISPLAY WALL MOUNTING APPARATUS, filed on 2/8/06.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent # 2,299,443 to Walmsely.

Walmsely teaches a wall mounting apparatus/display system comprising a first plate (5) attached to a wall and a second plate (10) attached to visual display (mirror or picture frame, column 1, line 2). The visual display is mounted to the wall by hooking the first and second plates together. The first plate includes an angled portion (9), backstop portion (8) and a flat portion (7). The backstop portion extends between the angled portion and the flat portion. The first plate includes an elongated section (9') which contacts a corresponding elongate section (inner surface of element 10 and located between elements 13-14) of the second plate. The first plate is longer than the second plate (see figure 6). The first plate includes two or more end stops (6 and 15).

***Response to Arguments***

Applicant's arguments filed 2/27/08 have been fully considered but they are not persuasive.

The applicant states "Walmsley does not describe or suggest a wall mounting apparatus including a first plate attached to a wall and a second plate attached to a display, Wherein the visual display is mounted to the wall by hooking the first and second plates, such that each plate contacts the other in at least two places." The examiner disagrees with the applicant because Walmsley teaches first plate (5) being attached to the wall (17, figure 3) and the second plate (10) attached to display (18). The first plate and second plate contacts the other in at least two places (9, 14, 9' and 13).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joey Wujciak whose telephone number is (571) 272-6827 or send

Art Unit: 3632

e-mail to the examiner at Joey.Wujciak@uspto.gov. The fax machine telephone number for the Technology Center is (571) 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary examiner

A. Joseph Wujciak III

Art Unit 3632

6/25/08

/A. Joseph Wujciak III/

|   |                                |  |
|---|--------------------------------|--|
| <b>Application Number</b><br> | <b>Application/Control No.</b> | <b>Applicant(s)/Patent under Reexamination</b> |
|   | 10/567,718                     | MAY ET AL.                                     |
|   | <b>Examiner</b>                | <b>Art Unit</b>                                |
|   | Alfred Joseph Wujciak III      | 3632   |